

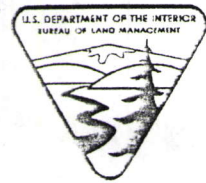


United States Department of the Interior

BUREAU OF LAND MANAGEMENT FILLMORE FIELD OFFICE

35 East 500 North
Fillmore, UT 84631

<http://webb.blm.gov/interwebdesign.htm>



IN REPLY REFER TO
3600
(U-010)
UTU-078273

April 13, 2000

CERTIFIED MAIL # Z 135 573 593
RETURN RECEIPT REQUESTED

RICHARD STONE
RESIDENT AGENT
UNIQUE MINERALS
1359 PARK STREET
SALT LAKE CITY UT 84105

RECEIVED
MAY 10 2000
DIVISION OF
OIL, GAS AND MINING

Dear Mr. Stone:

Enclosed is the environmental assessment for a 1000 ton rock sale at the Spectrum Quarry, T. 17 S., R. 13 W., Section 23. This action will affect one of your company's mining claims, the Unique Minerals #16, UMC 365063. It is my decision to authorize the proposal.

This decision may be appealed to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations contained in 43 CFR, Part 4 and the enclosed Form 1842-1. If an appeal is taken, your notice of appeal must be filed in this office (at the above address) within 30 days from receipt of this decision. The appellant has the burden of showing that the decision appealed from is in error.

If you wish to file a petition to regulation 43 CFR 4.21 (58 FR 4939, January 19, 1993) or 43 CFR 2804.1 for a stay of the effectiveness of this decision during the time that your appeal is being reviewed by the Board, the petition for a stay must accompany your notice of appeal. A petition for a stay is required to show sufficient justification based on the standards listed below. Copies of the notice of appeal and petition for a stay **must** also be submitted to each party named in this decision and to the Interior Board of Land Appeals, and to the appropriate Office of the Solicitor (see 43 CFR 4.413) at the same time the original documents are filed with this office. If you request a

stay, you have the burden of proof to demonstrate that a stay should be granted.

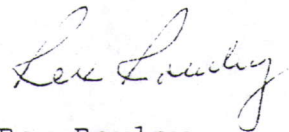
Standards for Obtaining a Stay

Except as otherwise provided by law or other pertinent regulation, a petition for a stay of a decision pending appeal shall show sufficient justification based on the following standards:

- (1) The relative harm to the parties if the stay is granted or denied,
- (2) The likelihood of the appellant's success on the merits,
- (3) The likelihood of immediate and irreparable harm if the stay is not granted, and
- (4) Whether the public interest favors granting the stay.

If you have any questions, please contact Sheri Wysong at 435-743-3124.

Sincerely,



Rex Rowley
Field Manager

Enclosures:

Antelope Mountain Building Stone Sale Environmental
Assessment
Form 1842-1, Information on Taking Appeals to the Board of
Land Appeals

cc: Barry Kandel, 1003 Whippoorwill Dr, Clarks Summit, PA,
18411-9671
Gerald L McCurdy, 2125 W 12920 S, Riverton, UT 84065
Clair Rogers, 13480 S 2200 W, Riverton, UT 84065
Neldon Adair, 2081 W 13180 S, Riverton, UT 84065
Terry Murray, 726 Madison Rd, Magna, UT 84044

SUBPART 1821.2--OFFICE HOURS, TIME AND PLACE FOR FILING

Sec. 1821.2-1 *Office hours of State Offices.* (a) State Offices and the Washington Office of the Bureau of Land Management are open to the public for the filing of documents and inspection of records during the hours specified in this paragraph on Monday through Friday of each week, with the exception of those days where the office may be closed because of a national holiday or Presidential or other administrative order. The hours during which the State Offices and the Washington Office are open to the public for the filing of documents and inspection of records are from 10 a.m. to 4 p.m., standard time or daylight saving time, whichever is in effect at the city in which each office is located.

Sec. 1821.2-2(d) Any document required or permitted to be filed under the regulations of this chapter, which is received in the State Office or the Washington Office, either in the mail or by personal delivery when the office is not open to the public shall be deemed to be filed as of the day and hour the office next opens to the public.

(e) Any document required by law, regulation, or decision to be filed within a stated period, the last day of which falls on a day the State Office or the Washington Office is officially closed, shall be deemed to be timely filed if it is received in the appropriate office on the next day the office is open to the public.

* * * * *

See 43 CFR Sec. 4.21 for appeal general provisions.

Form 1143-1
(July 1999)

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

INFORMATION ON TAKING APPEALS TO THE BOARD OF LAND APPEALS

DO NOT APPEAL UNLESS

1. This decision is adverse to you.
2. You believe it is incorrect.

IF YOU APPEAL, THE FOLLOWING PROCEDURES MUST BE FOLLOWED

1. NOTICE OF APPEAL Within 30 days file a *Notice of Appeal* in the office which issued this decision (see 43 CFR Secs. 4.411 and 4.413). You may state your reasons for appealing, if you desire.

2. WHERE TO FILE

NOTICE OF APPEAL

Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, Utah 84631

SOLICITOR

ALSO COPY TO

Regional Solicitor
Federal Building, Room 6201
125 South State Street
Salt Lake City, Utah 84138-1180

3. STATEMENT OF REASONS Within 30 days after filing the *Notice of Appeal*, file a complete statement of the reasons why you are appealing. This must be filed with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203 (see 43 CFR Sec. 4.412 and 4.413). If you fully stated your reasons for appealing when filing the *Notice of Appeal*, no additional statement is necessary.

SOLICITOR

ALSO COPY TO

Regional Solicitor
Federal Building, Room 6201
125 South State Street
Salt Lake City, Utah 84139-1880

4. ADVERSE PARTIES Within 15 days after each document is filed, each adverse party named in the decision and the Regional Solicitor or Field Solicitor having jurisdiction over the State in which the appeal arose must be served with a copy of: (a) the *Notice of Appeal*, (b) the Statement of Reasons, and (c) any other documents filed (see 43 CFR Sec. 4.413). Service will be made upon the Associate Solicitor, Division of Energy and Resources, Washington, D.C. 20240, instead of the Field or Regional Solicitor when appeals are taken from decisions of the Director (WO-100).

5. PROOF OF SERVICE Within 15 days after any document is served on an adverse party, file proof of that service with the United States Department of the Interior, Office of the Secretary, Board of Land Appeals, 4015 Wilson Blvd., Arlington, Virginia 22203. This may consist of a certified or registered mail "Return Receipt Card" signed by the adverse party (see 43 CFR Sec. 4.401(c)(2)).

Unless these procedures are followed your appeal will be subject to dismissal (see 43 CFR Sec. 4.402). Be certain that all communications are identified by serial number of the case being appealed.

NOTE: A document is not filed until it is actually received in the proper office (see 43 CFR Sec. 4.401(a)).

unique minerals inc

5/027/079

May 8, 2000

Mr Rex Rowley
Field Manager
United States Department of the Interior
Bureau of Land Management
Fillmore Field Office
35 East 500 North
Fillmore, UT 84631

CERTIFIED MAIL ARTICLE
DELIVERED ALSO VIA FACSIMILE
NOTICE OF APPEAL
PETITION FOR STAY

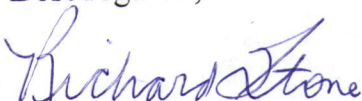
Dear Mr Rowley,

Herewith enclosed, find your letter of April 13, 2000 to Unique Minerals Inc, Richard Stone Resident Agent. I hereby appeal pursuant to 43 CFR Sections. 4.411 through 4.413.

The regulations in form 1842-1 state that we have 30 days from the date of this appeal to state the reasons for our objections to proposal 3600 (U-O1O) UTU-07822273.

Copies of this notice/petition are also sent to Mr John Steiger, Regional Solicitor, Tom Munson, DOGM, Sheand Levin Stone Company.

Best regards,


Richard Stone,
Resident Agent

RECEIVED

MAY 10 2000

**DIVISION OF
OIL, GAS AND MINING**